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**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

ELECTRONIC FRONTIER FOUNDATION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
UNITED STATES DEPARTMENT )  
OF JUSTICE, )  
 )  
Defendant. )

Case No. 16-cv-02041-HSG

**SECOND STIPULATION AND ORDER  
TO EXTEND DEADLINE FOR FILING  
PLAINTIFF'S REPLY**

The parties stipulate and respectfully request the Court extend the deadline for filing Plaintiff's Reply in Support of its Motion for Partial Summary Judgment until December 1, 2016. Good cause exists for this request as follows:

1. On November 14, 2016, the parties sought, and the Court approved, a stipulated extension of time for the filing of Plaintiff's Reply. *See* ECF No. 36.

2. The parties sought this extension to accommodate discussions between the parties concerning the scope of the FOIA request, in an ongoing effort to narrow the scope of the litigation and partially resolve some of the areas in dispute without the Court's intervention. *See id.*

3. During the additional time, the parties have engaged in productive discussions concerning the proposed narrowing and its consequences for the litigation. However, because of the Thanksgiving holiday, the Department of Justice requires additional time to discuss the issue within the Department and with other affected government agencies.

4. Thus, and to facilitate their ongoing discussions, the parties request an additional brief extension of three days, to December 1, 2016, for the filing of Plaintiff's Reply.

5. This short extension will allow the parties to complete their discussions concerning the proposed narrowing. In the event the parties are unable to resolve their dispute, the new deadline will still allow for two full weeks before the currently scheduled hearing date.

Accordingly, the parties respectfully stipulate and request that the Court extend the deadline for filing Plaintiff's Reply to December 1, 2016.

DATED: November 23, 2016

/s/ Mark Rumold  
Mark Rumold

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1 DATED: November 23, 2016

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5 /s/ Rodney Patton  
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11 *Attorneys for Defendant*

12 **DECLARATION PURSUANT TO LOCAL RULE 5-1(I)(3)**

13 Pursuant to Civil L.R. 5-1(i)(3), I, Mark Rumold, declare that I obtained the concurrence of  
14 Rodney Patton, counsel for Defendant, United States Department of Justice, in the filing of this  
15 document.

16 I declare under penalty of perjury under the laws of the United States that the foregoing is  
17 true and correct. Executed this 23rd day of November, 2016 in Kansas City, Missouri.


18 /s/ Mark Rumold  
19 Mark Rumold

20 \* \* \*

21 Upon consideration of the parties' stipulation concerning an extension of time in which to  
22 file Plaintiff's Reply, it is:

23 **ORDERED** that Plaintiff's deadline to file its Reply is extended to December 1, 2016.

24 DATED: November 28, 2016

25   
26 HON. HAYWOOD S. GILLIAM, JR.  
UNITED STATES DISTRICT JUDGE